[22nd October 1927

(*d*) what has been the total rainfall in the Periyar drainage area for each of the stations having rain gauge during the irrigation season last year, and what was the minimum rainfall for the same area and stations ever previously recorded;

(*e*) whether any modifications in the existing rules and regulations regarding the water-level, or supply of Periyar water are contemplated;

(*f*) what is the highest level of water that should be maintained according to the existing rules and whether there is any proposal to reduce that full water-level and if so, for what purposes and for what reasons; and

(*g*) whether Government propose to consult the concerned Periyar ryots before modifying or amending the full water-level to be maintained in the Periyar lake?

A.—The question has been referred to the Chief Engineer (Irrigation), who has called for a report from the Superintending Engineer.

Civil Justice

Transfer of the Sarishtadars of District Courts.

*840 *Q.*—Mr. G. R. Premayya: Will the hon. the Law Member be pleased to state—

(*a*) whether the Government are aware of High Court's Circular Dis. No. 621 of 1919 dated 18th March 1919;

(*b*) whether it is proposed to reduce the period of five years mentioned therein to three years as in the case of gazetted officers; and

(*c*) whether Government will instruct the Head of the Judicial Department to transfer the Sarishtadars of District Courts automatically after the end of every three years without any special report from the District Judge?

A.—(*a*) Yes.

(*b*) There is no such proposal before the Government.

(*c*) Under the Madras Civil Courts Act, 1873, the transfer of Sarishtadars is a matter within the discretion of the High Court.

Extension of the Civil Judicial Test qualification to ministerial officers of the District Courts.

*841 *Q.*—Mr. G. R. Premayya: Will the hon. the Law Member be pleased to ascertain and state—

(*a*) whether there is a rule that the head clerks of the District Munsifs' Courts and Sub-Courts in the grade 60—4—80 should have passed the Civil Judicial Test examination;

(*b*) whether the deputy nazirs of the District Munsifs' Courts, copyists, superintendents, record-keepers and second clerks of the District Courts in the grade 60—4—80 need not possess such a qualification;

(*c*) whether the clerks in the Judicial Department in the Presidency have sent in memorials recently to the High Court requesting them to extend the Civil Judicial Test qualification to the posts mentioned in clause (*b*);

22nd October 1927]

(d) whether the High Court declined to accede to their request;

(e) what was the reason assigned therefor; and

(f) whether the High Court consulted the Government before doing so and whether under the rules the consent of the Government is necessary?

A.—(a) & (b) The facts are as stated by the Member of the Legislative Council.

(c), (d) & (e) The Government have no information.

(f) The Government were not consulted in the matter. The special tests are prescribed by Government in the case of ministerial officers of the Judicial Department as well as of other departments. The attention of the hon. Member is invited to the Public Service Notification, published at pages 192—202 of Part I-B of the *Fort St. George Gazette*, dated the 12th April 1927.

Pay of amins and process-servers in the Civil Courts.

* 842 Q.—MAHMUD SCHAMNAD SAHIB Bahadur: Will the hon. the Law Member be pleased to state—

(a) whether complaints have been made that processes are generally not served properly and that they are often returned unserved, thereby causing inconvenience and unnecessary expenditure to the parties and also much delay in the disposal of cases in civil courts;

(b) whether the Government are aware that the process-servers are much discontented on account of their low pay and that much of the slackness in their work is due to this discontent;

(c) what is the pay of the amins and process-servers in the civil courts; and

(d) whether the Government propose to raise their pay and give them travelling allowance?

A.—(a) No.

(b) Process-servers have submitted memorials praying for the revision of their pay.

(c) The pay of amins and process-servers is as follows:—

Amins—Rs. 22—1—35.

Process-servers—First class, Rs. 15; second class, Rs. 14.

(Not more than one-third of the peons shall receive Rs. 15 a month and the rest Rs. 14 a month.)

(d) The matter is under consideration.

Reply from the High Court regarding the increase of pay of process-servers.

* 843 Q.—MAHMUD SCHAMNAD SAHIB Bahadur: With reference to the answer to clause (b) of question No. 43 answered on the 23rd August 1927, will the hon. the Law Member be pleased to state—

(a) whether the Government have received any reply from the High Court regarding the increase of pay of the process-servers; and

(b) what is the nature of the reply?

A.—(a) & (b) The reply of the High Court is still awaited.

Mr. BASHEER AHMAD SAYEED:—"May I know whether the Government will expedite the reply from the High Court as it is long pending?"